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No. 281. 46

Motion for add'l Bond.

Filed Nov. 13, 1899.

SUPREME COURT U. S.
FILED
NOV 13 1899
JAMES H. McKENNEY,
Clerk.

SUPREME COURT OF THE UNITED STATES.

October Term, 1899.

CITY OF NEW ORLEANS

versus No. 281.

JOHN FISHER, TUTOR, & AL.

SUPREME COURT OF THE UNITED STATES.

October Term, 1899.

CITY OF NEW ORLEANS
versus
JOHN FISHER, TUTOR, & AL.

No. 281.

Now comes Charles Louque, Solicitor for Complainant, John Fisher, herein acting as the duly qualified tutor of his minor children, and on suggesting to this Hon. Court that the City of New Orleans, petitioner for a writ of certiorari, has been condemned as trustee to pay to complainant and intervenors herein the sum of seventy-one thousand nine hundred and thirty-eight 78/100 dollars with 5% interest per annum from January 24th, 1881, making a total to date of one hundred and thirty-seven thousand dollars, and on suggesting to the Court that the writ of certiorari herein issued should either act as a supersedeas or not, at the option of petitioner the City of New Orleans, that the Court should for the orderly proceedings and in justice to complainant order the City of New Orleans to furnish a good and solvent bond to guarantee the faithful execution of such judgment as may be rendered by this Hon. Court; or that the complainant and interveners should be allowed to issue execution and collect their judgment in accordance with existing laws during the pendency of the examination of this cause by this Hon. Court;

And on suggesting to the Court that the City of New Orleans has been duly notified that this motion would be presented to this Hon. Court on the 13th day of November, 1899; as appears by the affidavit of service hereto annexed:

Moves the Court for an order that the City of New Orleans do furnish a bond with good and solvent surety, in the sum of one hundred and fifty thousand dollars within fifteen days from this 13th of November, 1899, conditioned for the faithful payment of whatever judgment may be rendered herein; and that this order be notified to said City of New Orleans; in default whereof the writ shall be dismissed with costs.

Affidavit.

Charles Louque being duly sworn says he served a true and corect printed copy of the above rule on the City of New Orleans through the City Attorney in person, on the 20th day of October, 1899.

(Signed) CHS. LOUQUE.

Sworn to and subscribed before me this 20th day of October, 1899. (Signed) F. D. CHARBONNET,

[Seal] Notary Public.